

DETAILED ACTION

1. This is the first action relating to U.S. Application Serial No. 110/587,043 filed on July 24, 2006.

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Preliminary Amendment

2. Receipt is acknowledged of the preliminary amendment filed on July 24, 2006.

Claims 1-36 remain in the examination.

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Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. However, on the oath submitted on August 22, 2006, it was indicated that the certified copy was not attached.

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Specification

4. Applicant(s) are reminded to include the following in the next communication with respect to the header(s) within the specification as following:

20 a) **-- Background of the Invention --:** The specification should set forth

Background of the Invention in two parts: **--Field of the Invention --** and **-- Description of the Related Art --.**

b) **-- Brief Summary of the Invention --.**

c) **-- Brief Description of the Several Views of the Drawing(s) --.**

d) **-- Detailed Description of the Invention --.**

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

10 (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15 6. Claims 1-8, 10-17, 22-26, and 28-36 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2003/0136837 to Amon et al. (hereinafter “Amon”).

Re claims 1, 23, 25, 28, 29, 34, and 35, Amon discloses a method for forming an optical decoding device – a marking (see abstract) wherein the data file containing the 20 optical device is transferred from a server to a remote site 1 (see the main figure or figure 1; see paragraphs 0038 and 0039) and the remote device 1 (or authenticating device) reveals hidden information (see paragraph 0035). The device 1 is used to make determination of authenticity (see paragraph 0037). Figure 1 is a system for forming the 25 optical decoding device. The system is also a decoding device supply system.

Re claims 2 and 24, the article is a bank note, passports or other security documents (see paragraph 0004).

Re claims 3, 31, and 36, as shown in figure 1, the source of the data file includes a database 8 (see figure 1).

Re claims 4, 22, and 26, one of the optical decoding device marking is a barcode (see abstract) which is a line structure.

Re claim 5, document and security feature of the document is captured by the authenticating device which uses pixel data of the captured image (see paragraph 0082 and figure 3a).

Re claim 6, the optical decoding device can be a barcode (see abstract) which is a line pattern.

Re claims 7 and 8, the decoding device can be printed on a medium such as paper or plastic (see paragraph 0003).

Re claims 10 and 30, the printing can be done with ink-jet printer (see paragraph 0003).

Re claim 11, the decoding device can be displayed on the authenticating device (see paragraph 0038).

Re claims 12 and 13, decoding device can be printed with ink comprising luminescent pigment whose color (intensity) is dependent on time (see paragraph 0081).

Re claims 14 and 15, the authenticating device 1 is a mobile phone, and data is transmitted over mobile wide area telephone network (see paragraph 0074).

Re claims 16 and 17, in order to access the remote server, access-control data such password is required (see paragraph 0111).

Re claim 32, the central source C (see figure 1) is comprised of memory, database and a processor (see paragraph 0039).

Re claim 33, the decoding device can be 1 or 2 dimensional barcode written with invisible ink (see paragraph 0132) on the security device.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

5 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10 8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 15 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over US
20 2003/0136837 to Amon et al. in view of US 7,124,934 B2 to Graham (hereinafter
“Graham”).

The teachings of Amon have been discussed above.

Amon, however, fails to specifically teach or fairly suggest that the record medium is transparent.

25 Huston teaches a technique for marking media with indicia (see abstract) wherein the medium is clear or transparent film media (col. 1, lines 12-15). The medium can be a card stock (col. 11, lines 38+).

As further disclosed in Amon, the embodiments of security document ranges from credit card to driver license (see Amon, paragraph 0004). It is known that in some cases, the credit cards are printed on a clear plastic. Accordingly, the approach of Huston can obviously adopted in Amon to print on clear cards.

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10. Claims 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0136837 to Amon et al. in view of US 6,386,671 B1 to Huston et al. (hereinafter “Huston”).

The teachings of Amon have been discussed above.

10 Amon, however, fails to specifically teach or fairly suggest that the PIN (or access control data) is an image of the article.

Graham teaches document authenticating system wherein the scanned document image is used in accessing the document deposited (see abstract)

15 It is the Examiner's position that a PIN of Amon and image password of Graham are functionally equivalent devices. Both are used in accessing to the article of interest. Using one in place of the other would not produce unexpected results. Accordingly, one ordinary skill in the art would use a method more suitable for the particulars of the embodiment.

20 11. Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0136837 to Amon et al. in view of US 6,748,367 B1 to US 6,386,671 B1 to Lee (hereinafter “Lee”).

The teachings of Amon have been discussed above.

Amon, however, fails to specifically teach or fairly suggest that the central device sends the data according to a different level of security or the identity of the remote site. Amon, also does not disclose or suggest that remote site identity or activity is recorded.

5 Lee discloses an ATM (remote device) interfacing with the server system 10. (see figure 1, ATM not shown). At the ATM (see figure 6), the security level can be adjusted which determines level of information being downloaded. User transaction including the identity of the ATM is recorded in the transaction log (col. 8, line 65 - col. 9, line 23).

In view of Lee's disclosure, it would have been obvious to one ordinary skill in
10 the ordinary at the time of the invention to allow customizing capabilities at the remote site so that added security level improves information protection scheme. For example, for downloading or processing less important information, the security level can be set low. With respect to recording transaction, all database software uses transaction log since they use commit/roll back method in updating the database and also for the audit
15 trail. The transaction log includes information such as the terminal, user, activity, and time and date of the activity and other transaction related information.

Conclusion

Any inquiry concerning this communication or earlier communications from the
20 examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The examiner can normally be reached between the hours of 8:00 AM to 5:00 PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
25 supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax phone number for this Group is (571)273-8300.

Art Unit: 2876

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

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All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available for Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions or access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Ahshik Kim/

Primary Examiner
Art Unit 2876
October 24, 2009